

109TH CONGRESS
1ST SESSION

S. 795

To provide driver safety grants to States with graduated driver licensing laws that meet certain minimum requirements.

IN THE SENATE OF THE UNITED STATES

APRIL 14, 2005

Mr. DODD (for himself and Mr. WARNER) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To provide driver safety grants to States with graduated driver licensing laws that meet certain minimum requirements.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe Teen and Novice
5 Driver Uniform Protection Act of 2005” or the
6 “STANDUP Act”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1 (1) The National Transportation Safety Board
2 has reported that—

3 (A) in 2002, teen drivers, which con-
4 stituted only 6.4 percent of all drivers, were in-
5 volved in 14.3 percent of all fatal motor vehicle
6 crashes;

7 (B) motor vehicle crashes are the leading
8 cause of death for Americans between 15 and
9 20 years of age;

10 (C) between 1994 and 2003, almost
11 64,000 Americans between 15 and 20 years of
12 age died in motor vehicle crashes, an average of
13 122 per week; and

14 (D) in 2003—

15 (i) 3,657 American drivers between 15
16 and 20 years of age were killed in motor
17 vehicle crashes;

18 (ii) 300,000 Americans between 15
19 and 20 years of age were injured in motor
20 vehicle crashes; and

21 (iii) 7,884 American drivers between
22 15 and 20 years of age were involved in
23 fatal crashes, resulting in 9,088 total fa-
24 talities, a 5 percent increase since 1993.

1 (2) Though only 20 percent of driving by young
2 drivers occurs at night, over 50 percent of the motor
3 vehicle crash fatalities involving young drivers occur
4 at night.

5 (3) The National Highway Traffic Safety Ad-
6 ministration has reported that—

7 (A) 6,300,000 motor vehicle crashes
8 claimed the lives of nearly 43,000 Americans in
9 2003 and injured almost 3,000,000 more Amer-
10 icans;

11 (B) teen drivers between 16 and 20 years
12 of age have a fatality rate that is 4 times the
13 rate for drivers between 25 and 70 years of age;
14 and

15 (C) drivers who are 16 years of age have
16 a motor vehicle crash rate that is almost ten
17 times the crash rate for drivers aged between
18 30 and 60 years of age.

19 (4) According to the Insurance Institute for
20 Highway Safety, the chance of a crash by a 16- or
21 17-year-old driver is doubled if there are 2 peers in
22 the vehicle and quadrupled with 3 or more peers in
23 the vehicle.

24 (5) In 1997, the first full year of its graduated
25 driver licensing system, Florida experienced a 9 per-

1 cent reduction in fatal and injurious crashes among
2 young drivers between the ages of 15 and 18, com-
3 pared with 1995, according to the Insurance Insti-
4 tute for Highway Safety.

5 (6) The Journal of the American Medical Asso-
6 ciation reports that crashes involving 16-year-old
7 drivers decreased between 1995 and 1999 by 25 per-
8 cent in Michigan and 27 percent in North Carolina.
9 Comprehensive graduated driver licensing systems
10 were implemented in 1997 in these States.

11 (7) In California, according to the Automobile
12 Club of Southern California, teenage passenger
13 deaths and injuries resulting from crashes involving
14 16-year-old drivers declined by 40 percent from
15 1998 to 2000, the first 3 years of California's grad-
16 uated driver licensing program. The number of at-
17 fault collisions involving 16-year-old drivers de-
18 creased by 24 percent during the same period.

19 (8) The National Transportation Safety Board
20 reports that 39 States and the District of Columbia
21 have implemented 3-stage graduated driver licensing
22 systems. Many States have not yet implemented
23 these and other basic safety features of graduated
24 driver licensing laws to protect the lives of teenage
25 and novice drivers.

1 (9) A 2001 Harris Poll indicates that—

2 (A) 95 percent of Americans support a re-
3 quirement of 30 to 50 hours of practice driving
4 with an adult;

5 (B) 92 percent of Americans support a 6-
6 month learner's permit period; and

7 (C) 74 percent of Americans support lim-
8 iting the number of teen passengers in a car
9 with a teen driver and supervised driving during
10 high-risk driving periods, such as night.

11 **SEC. 3. STATE GRADUATED DRIVER LICENSING LAWS.**

12 (a) MINIMUM REQUIREMENTS.—A State is in compli-
13 ance with this section if the State has a graduated driver
14 licensing law that includes, for novice drivers under the
15 age of 21—

16 (1) a 3-stage licensing process, including a
17 learner's permit stage and an intermediate stage be-
18 fore granting an unrestricted driver's license;

19 (2) a prohibition on nighttime driving during
20 the learner's permit and intermediate stages;

21 (3) a prohibition, during the learner's permit
22 intermediate stages, from operating a motor vehicle
23 with more than 1 non-familial passenger under the
24 age of 21 if there is no licensed driver 21 years of
25 age or older present in the motor vehicle; and

1 (4) any other requirement that the Secretary of
2 Transportation (referred to in this Act as the “Sec-
3 retary”) may require, including—

4 (A) a learner’s permit stage of at least 6
5 months;

6 (B) an intermediate stage of at least 6
7 months;

8 (C) for novice drivers in the learner’s per-
9 mit stage—

10 (i) a requirement of at least 30 hours
11 of behind-the-wheel training with a li-
12 censed driver who is over 21 years of age;
13 and

14 (ii) a requirement that any such driv-
15 er be accompanied and supervised by a li-
16 censed driver 21 years of age or older at
17 all times when such driver is operating a
18 motor vehicle; and

19 (D) a requirement that the grant of full li-
20 censure be automatically delayed, in addition to
21 any other penalties imposed by State law for
22 any individual who, while holding a provisional
23 license, convicted of an offense, such as driving
24 while intoxicated, misrepresentation of their
25 true age, reckless driving, unbelted driving,

1 speeding, or other violations, as determined by
2 the Secretary.

3 (b) RULEMAKING.—After public notice and comment
4 rulemaking the Secretary shall issue regulations necessary
5 to implement this section.

6 **SEC. 4. INCENTIVE GRANTS.**

7 (a) IN GENERAL.—For each of the first 3 fiscal years
8 following the date of enactment of this Act, the Secretary
9 shall award a grant to any State in compliance with sec-
10 tion 3(a) on or before the first day of that fiscal year that
11 submits an application under subsection (b).

12 (b) APPLICATION.—Any State desiring a grant under
13 this section shall submit an application to the Secretary
14 at such time, in such manner, and containing such infor-
15 mation as the Secretary may require, including a certifi-
16 cation by the governor of the State that the State is in
17 compliance with section 3(a).

18 (c) GRANTS.—For each fiscal year described in sub-
19 section (a), amounts appropriated to carry out this section
20 shall be apportioned to each State in compliance with sec-
21 tion 3(a) in an amount determined by multiplying—

22 (1) the amount appropriated to carry out this
23 section for such fiscal year; by

24 (2) the ratio that the amount of funds appor-
25 tioned to each such State for such fiscal year under

1 section 402 of title 23, United States Code, bears to
2 the total amount of funds apportioned to all such
3 States for such fiscal year under such section 402.

4 (d) USE OF FUNDS.—Amounts received under a
5 grant under this section shall be used for—

6 (1) enforcement and providing training regard-
7 ing the State graduated driver licensing law to law
8 enforcement personnel and other relevant State
9 agency personnel;

10 (2) publishing relevant educational materials
11 that pertain directly or indirectly to the State grad-
12 uated driver licensing law; and

13 (3) other administrative activities that the Sec-
14 retary considers relevant to the State graduated
15 driver licensing law.

16 (e) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated out of the Highway
18 Trust Fund (other than the Mass Transit Account) to
19 carry out this section \$25,000,000 for each of the fiscal
20 years 2005 through 2009.

21 **SEC. 5. WITHHOLDING OF FUNDS FOR NON-COMPLIANCE.**

22 (a) IN GENERAL.—

23 (1) FISCAL YEAR 2010.—The Secretary shall
24 withhold 1.5 percent of the amount otherwise re-
25 quired to be apportioned to any State for fiscal year

2010 under each of the paragraphs (1), (3), and (4) of section 104(b) of title 23, United States Code, if that State is not in compliance with section 3(a) of this Act on October 1, 2009.

(2) FISCAL YEAR 2011.—The Secretary shall withhold 3 percent of the amount otherwise required to be apportioned to any State for fiscal year 2011 under each of the paragraphs (1), (3), and (4) of section 104(b) of title 23, United States Code, if that State is not in compliance with section 3(a) of this Act on October 1, 2010.

(3) FISCAL YEAR 2012 AND THEREAFTER.—The Secretary shall withhold 6 percent of the amount otherwise required to be apportioned to any State for each fiscal year beginning with fiscal year 2012 under each of the paragraphs (1), (3), and (4) of section 104(b) of title 23, United States Code, if that State is not in compliance with section 3(a) of this Act on the first day of such fiscal year.

(b) PERIOD OF AVAILABILITY OF WITHHELD FUNDS.—

(1) FUNDS WITHHELD ON OR BEFORE SEPTEMBER 30, 2011.—Any amount withheld from any State under subsection (a) on or before September 30, 2011, shall remain available for distribution to

1 the State under subsection (c) until the end of the
2 third fiscal year following the fiscal year for which
3 such amount is appropriated.

4 (2) FUNDS WITHHELD AFTER SEPTEMBER 30,
5 2011.—Any amount withheld under subsection (a)(2)
6 from any State after September 30, 2011, may not
7 be distributed to the State.

8 (c) APPORTIONMENT OF WITHHELD FUNDS AFTER
9 COMPLIANCE.—

10 (1) IN GENERAL.—If, before the last day of the
11 period for which funds withheld under subsection (a)
12 are to remain available to a State under subsection
13 (b), the State comes into compliance with section
14 3(a), the Secretary shall, on the first day on which
15 the State comes into compliance, distribute to the
16 State any amounts withheld under subsection (a)
17 that remains available for apportionment to the
18 State.

19 (2) PERIOD OF AVAILABILITY OF SUBSE-
20 QUENTLY APPORTIONED FUNDS.—Any amount dis-
21 tributed under paragraph (1) shall remain available
22 for expenditure by the State until the end of the
23 third fiscal year for which the funds are so appor-
24 tioned. Any amount not expended by the State by

1 the end of such period shall revert back to the
2 Treasury of the United States.

3 (3) EFFECT OF NON-COMPLIANCE.—If a State
4 is not in compliance with section 3(a) at the end of
5 the period for which any amount withheld under
6 subsection (a) remains available for distribution to
7 the State under subsection (b), such amount shall
8 revert back to the Treasury of the United States.

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